

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

SPECIAL COMMISSION MEETING

MINUTES

Jarvis Hall

4505 Ocean Drive

Monday, July 23, 2013

6:00 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 6:00 p.m. Also present were Vice Mayor Scot Sasser, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Chris Vincent, Town Attorney Susan L. Trevarthen, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Finance Director Tony Bryan, Municipal Services Director Don Prince, Town Planner Linda Connors and Town Clerk Vanessa Castillo.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Town Planner Linda Connors introduced new Town employee, Idalia Gutierrez, who would be working as a Senior Office Specialist in the Development Services Department.

3. PUBLIC COMMENTS

Mayor Minnet opened the meeting for public comment and, with no one wishing to speak, closed the public comment portion of the meeting.

4. RESOLUTIONS

- a. Resolution 2013-28:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA; SUPPLEMENTING RESOLUTION NO. 2004-15, THE INITIAL FIRE PROTECTION RATE RESOLUTION, BY AMENDING THE METHODOLOGY OF ASSESSING FIRE PROTECTION ASSESSED COSTS AGAINST NON-RESIDENTIAL PROPERTY LOCATED WITHIN THE TOWN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY' PROVIDING FOR AN EFFECTIVE DATE. (FINANCE DIRECTOR TONY BRYAN)

Town Commission Special Meeting Minutes
July 23, 2013

Mayor Minnet opened the discussion for public comment, which she closed upon receiving no input.

Commissioner Vincent made a motion to approve Resolution 2013-28. Commissioner Dodd seconded the motion. The motion carried 5-0.

- b. Resolution 2013-33:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN DESCRIBING THE METHOD OF ASSESSING FIRE PROTECTION ASSESSED COSTS AGAINST ASSESSED PROPERTY LOCATED WITH THE TOWN'S GEOGRAPHICAL BOUNDARIES, KNOWN AS FIRE PROTECTION ASSESSMENT AREA – TOWNWIDE; ESTABLISHING THE ESTIMATED RATES FOR FIRE PROTECTION SERVICES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL FOR FIRE PROTECTION ASSESSMENT AREA – TOWNWIDE; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICT, SEVERABILITY, AND FOR AN EFFECTIVE DATE (FINANCE DIRECTOR TONY BRYAN)

Mayor Minnet opened the discussion for public comment, which she closed upon receiving no input.

Commissioner Dodd noticed the Town budgeted for 95 percent collection rate, as it did in previous years, and asked if this was an accurate figure or was it arbitrary.

Finance Director Bryan responded that historically the Town budgeted to collect 95 percent of its property tax revenues to adjust for the evaluation reductions by the Value Adjustment Board. The real amount usually came in a little higher than budgeted on the ad valorem. The same practice was used with the fire assessment fee.

Commissioner Brown supported the 5-percent reduction, commending the VFD for their work at controlling their cost.

Commissioner Vincent inquired if the rate was still considered an ad valorem tax, even though it was a special assessment.

Finance Director Bryan replied it was not an ad valorem tax, he meant the practice of budgeting 95 percent was used for the fire assessment and the ad valorem.

Commissioner Dodd made a motion to approve Resolution 2013-33. Commissioner Vincent seconded the motion. The motion carried 5-0.

Town Commission Special Meeting Minutes
July 23, 2013

- c. Resolution 2013-30:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING A PROPOSED MILLAGE RATE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; ANNOUNCING THE DATE, TIME, AND PLACE OF THE FIRST PUBLIC HEARING TO CONSIDER THE PROPOSED MILLAGE RATE THE TENTATIVE BUDGET; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (FINANCE DIRECTOR TONY BRYAN)

Mayor Minnet opened the discussion for public comment, which she closed upon receiving no input. The flowchart provided by Mr. Bryan illustrated what the figure would be if the Town reduced the millage rate to the rollback rate.

Commissioner Dodd wondered if it was prudent to include the cost for the bases for the four sculptures in the west Commercial improvements, as he believed the Town would find the funding for the sculptures for the four sculptures. The cost to install the bases would only increase over time, and the construction teams were already working in those areas.

Mayor Minnet wished the Commission to consider re-appropriating the money the budget proposed for incentive programs, such as the Hotel Improvement Program (HIP), to the sculptures as few hotels were using the incentive grants. She agreed the budget should include the cost to insert the bases for the four sculptures and their designs.

Commissioner Brown commented the Town was going through a kind of renaissance with the major improvements along Commercial Boulevard. The Commercial projects had to be finished on time and correctly, so he was opposed to reducing the millage rate when additional monies might be needed to facilitate those projects.

Vice Mayor Sasser addressed three line items: 1) the Town Attorney budget; 2) business development and marketing; and 3) the Neighborhood Improvement Program (NIP). He discussed his wish to reduce the Town Attorney budget for the next fiscal year with Town Attorney Trevarthen. There appeared to be a number of items incurred in the current fiscal year that were not recurring charges, such as the Charter Review Board work and ethics opinions. He believed Town Attorney Trevarthen came in under budget the previous year, but this year there were additional legal expenses pertaining to the Town's distressed properties. Town Attorney Trevarthen was very helpful in gathering information on the nonrecurring expenses, and \$30,000 was the estimated amount that he wished the Commission to consider, noting it would reduce the Town Attorney budget to \$338,000.

Town Attorney Trevarthen agreed with Vice Mayor Sasser's comments, as outlined in her memo requesting a budget amendment.

Town Commission Special Meeting Minutes
July 23, 2013

Vice Mayor Sasser added that he requested Town Attorney Trevarthen to provide the Commission with the Town Attorney hours, perhaps monthly or every other month, and was told the hours were included in the monthly bill. It was important to ensure the requests for legal service by the Town Commission and staff were managed.

Mayor Minnet directed Finance Director Bryan to gather information on legal costs from other municipalities, but she acknowledged it was difficult to compare legal services. She found the Town's legal costs high and welcomed the chance to reduce them.

Commissioner Dodd stated he was pleased with the legal advice supplied by the Town Attorneys, and he was satisfied with the budgeted amount.

Mayor Minnet acknowledged a Commission consensus to lower the budgeted amount for Town attorney services.

Vice Mayor Sasser discussed the business development and marketing budget on page five of the budget worksheet, in Dept. 519.100 line item 500.311 through 640.

Vice Mayor Sasser felt there were two key expenditures: advertisements for \$63,500, and incentive programs for \$100,000. He thought the allocation for advertising was excessive and, as the HIP had been less successful than expected, the funds should be reduced and reallocated, such as to do the four sculptures.

On the Neighborhood Improvement Program, he was in favor of making some changes to Sea Grape Drive, such as taking out the paved swales. He thought the action was reasonable and aesthetically appropriate for the neighborhood, and the funds could be taken from the NIP and included in the Town's budget if the Commission agreed.

Town Manager Hoffmann explained when the Town received Mr. Brady's application for the NIP, it was not properly filled out, having no cost estimates. Town Planner Connors spoke with Mr. Brady and explained the need to further develop the project with cost estimates, and Town staff had yet to receive the requested information. She mentioned there was another pending application to continue the landscaping on Washingtonia Avenue further west, so there could be two applications for funds in the NIP. Until the applications for the projects were submitted, their cost was unknown and if they fit within the NIP parameters. She believed four people signed Mr. Brady's application, and he was encouraged to gather more community support, as required by the program.

Mayor Minnet mentioned that there seemed to be an insufficient buy-in from the community.

Town Manager Hoffmann explained she had recommended the elimination of the Paint Only Program (POP) effective the next fiscal year. The Commissioner asked staff to develop a grant program for MIMO buildings, so the proposed budget included \$50,000

Town Commission Special Meeting Minutes
July 23, 2013

for grants for MIMO architecture, and \$50,000 to continue the HIP. Regarding the four sculpture bases for the four plazas on west Commercial, Paul Carty of State Contracting Engineering Corporation (SCEC) was asked to look at the bids and figure out the cost to build the bases only, and he estimated \$10,000 total for all four bases. Town Manager Hoffmann indicated that the Town never received an actual cost proposal from Laura Fisher Huck, the artist, for the four plaza sculptures but Ms. Huck's rough estimate of \$25,000 for each sculpture was over a year old. If it the Commission wished, she would ask Ms. Fisher Huck to give a current price proposal for the sculptures and she would relay that to the Commission at the Town Commission Meeting on August 20.

Commissioner Dodd asked the Commission to consider an incentive program for the right tree in the right place to combat the issue of vegetation growing into power lines, as it benefited everyone on the particular electric feeder.

Mayor Minnet agreed the Commission should consider an incentive program.

Commissioner Brown mentioned starting a sea oats planting program, and the Hands Across Broward organization committed to getting children to help. He wondered if the Town could buy sea oats in bulk for the public areas and purchase plants for resale to private properties, hotels and condominiums.

Town Manager Hoffmann indicated the Town had sufficient funds in its budget for the sea oats for Town-owned beaches.

Mayor Minnet felt the Town gave incredible service to its residents and businesses. In deciding whether to reduce the millage rate, the Commission needed to consider the impact this would have on residents, individually and collectively. She preferred to leave the millage rate as is. The Town was successful in reducing its fire assessment fee, sewer rates and garbage fees, not increasing business license fees, and was providing free parking at the A1A lot. She thought the Commission was being a strong steward of the Town's money, and the public felt the Commission was doing a good job. Mayor Minnet asked whether Commission wished to reduce the Town Attorney budget.

Commissioner Dodd saw no need to further discuss the reduction of the Town Attorney budget if the Commission and the Town Attorney agreed to reduce the amount.

Commissioner Dodd made a motion to approve Resolution 2013-30. Commissioner Brown seconded the motion. The motion carried 5-0.

Vice Mayor Sasser stated if the Commission desired further discussion at the next meeting that was acceptable, but he wanted to makes sure the budgeted amount for Town Attorney fees was reduced. Though the fee could be managed to a lower number, he wanted to at least lower the budgeted amount by \$35,000.

Town Commission Special Meeting Minutes
July 23, 2013

5. ADJOURNMENT

Commissioner Dodd made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 6:41 p.m.



Mayor Roseann Minnet

ATTEST:



Town Clerk Vanessa Castillo

9/25/13
Date